

we adjourn sine die Monday, September 19, 1932, at 6 o'clock p. m.
MOORE.

The substitute was read and adopted.

The resolution as substituted was adopted.

Adjournment.

On motion of Senator Russek, the Senate, at 3:37 o'clock p. m., adjourned until Monday morning at 10 o'clock.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, Sept. 17, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 41 carefully examined and compared, and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Sept. 17, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 80, A bill to be entitled "An Act regulating the taking of fish and shrimp in the tidal waters of this State, providing that it shall be lawful to use strike nets, gill nets, trammel nets or shrimp trawls in the open waters of East Galveston Bay in the Counties of Galveston and Chambers except during the period beginning May 15th and ending August 15th of each year, etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

SEVENTEENTH DAY.

Senate Chamber,
Austin, Texas, Sept. 19, 1932.
The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Cunningham.	Pollard.
DeBerry.	Purl.
Gainer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Absent—Excused.

Greer. Hardin.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Williamson.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Thomason:

S. B. No. 50, A bill to be entitled "An Act to repeal Chapter 97, S. B. No. 18, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

At Ease.

At 10:07 o'clock a. m. the Senate stood at ease until 10:30 o'clock a. m.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, Sept 17, 1932.

Hon Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on S. B. No. 34. The following are conferees on the part of the House: Sanders, Kayton, Keller, Jones of Atascosa, Duvall.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Sept. 19, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution: S. C. R. No. 10 (as amended), Relative to sine die adjournment of the Third Called Session of the Forty-second Legislature.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Motion to Concur.

On motion of Senator Holbrook, the Senate concurred in the House amendment to S. C. R. No. 10.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

H. B. No. 29.	H. C. R. No. 10.
H. B. No. 32.	S. C. R. No. 10.
H. B. No. 80.	

Senate Simple Resolution No. 31.

Senator Woodruff sent up the following resolution:

Whereas, Ringling Bros.-Barnum and Bailey Circus exhibited in Austin on the 17th day of September, 1932, and

Whereas, The management thereof, through Messrs. Eddie Vaughan and George Smith, extended the courtesy of its grounds to the members of the Senate and their wives, and

Whereas, said members of the Senate together with their wives attended as invited guests of said management, the evening program of said circus and enjoyed the magnificence and splendor of the program and noted the dignified and splendid deportment and courteous manner in which said management presented said program to the public in general and to the Senators as invited guests in particular, therefore,

Be it Resolved, That the Senate do hereby express its appreciation hospitality extended to the Senators and their ladies by the said Eddie Vaughan and George Smith, representing the management of said cir-

cus and extending further the appreciation of the Senate for the high character of the entertainment presented and the splendid treatment accorded to the citizens of the State of Texas, who were general guests or patrons of said circus at its appearance in Austin, and,

Be it further Resolved, That the Secretary of the Senate be and he is hereby instructed to transmit a true and correct copy to the management of said Ringling Bros.-Barnum and Bailey Circus.

WOODRUFF.

Read and adopted.

Recess.

On motion of Senator Poage, the Senate, at 10:38 o'clock a. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Conference Committee Report.

Senator Woodul sent up the following Free Conference Committee report:

Committee Room,
Austin, Texas, Sept. 19, 1932.
Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed to adjust the differences between the Senate and the House on S. B. No. 44 have had same under consideration and beg to report that we have been unable to agree and respectfully request that a new Free Conference Committee be appointed to adjust the differences between the Senate and the House on this bill.

Respectfully submitted,
DEBERRY,
BERKELEY,
POAGE,
RAWLINGS,
WOODUL.

On part of the Senate.

YOUNG,
ANDERSON,
HUGHES,
BRADLEY.

On part of the House.

Read and adopted.

Senator Woodul sent up the following written motion:

Resolved, that the President appoint a Free Conference Committee on the part of the Senate to consider S. B. No. 44 and that such committee be instructed not to recede from the position of the Senate with reference to making the provisions of the bill optional with cities, towns and villages.

WOODUL.

Read and adopted.

The Chair appointed the following on the part of the Senate:

Senators DeBerry, Berkeley, Poage, Rawlings and Woodul.

Conference Committee Report.

Senator Williamson sent up the following Free Conference Committee report:

Committee Room.

Austin, Texas, Sept. 19, 1932.

Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Gentlemen: We, your Free Conference Committee on S. B. No. 34, beg leave to advise that we have met and agreed upon the following:

"Section 5. Any person who violates any of the provisions of this Act shall, upon conviction, be guilty of felony and shall be confined in the penitentiary for not less than one (1) year, nor more than twenty (20) years, or shall be fined not less than twenty-five (\$25.00) dollars, nor more than five thousand (\$5,000.00) dollars, or be punished by both such fine and imprisonment."

The balance of said bill to be the same as amended and passed by the House.

Respectfully submitted.

WILLIAMSON,
POAGE,
WOODUL,

On part of the Senate.

SANDERS,
DUVALL,
KAYTON.

On part of the House.

Read and adopted by the following vote:

Yeas—27.

Beck.
Berkeley.
Cousins.

Cunningham.
DeBerry.
Gainer.

Holbrook.
Hopkins.
Hornsby.
Loy.
Martin.
Moore.
Neal.
Parr.
Parrish.
Patton.
Poage.

Purl.
Rawlings.
Russek.
Small.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.
Woodward.

Absent—Excused.

Greer.
Hardin.

Oneal.
Pollard.

Former Senators Bailey and Westbrook Speak.

The Chair appointed Senator Hornsby to escort former State Senators John Bailey and Ed Westbrook to the platform.

The Chair introduced Senator Bailey who briefly addressed the Senate.

The Chair introduced Senator Westbrook who briefly addressed the Senate.

Senate Bill No. 49.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Parr:

S. B. No. 49, A bill to be entitled "An Act amending Article 8225, Revised Civil Statutes of 1925, as amended by Chapter 27, General Laws, Fourth Called Session, Forty-first Legislature, as amended by Chapter 21, General Laws, Second Called Session, Forty-second Legislature, prohibiting mineral development on coastal lands used for navigation purposes so long as said lands are used for navigation purposes by any navigation district or by the United States Government, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 49 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Cunningham.	Purl.
DeBerry.	Rawlings.
Gainer.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Parr.	

Absent—Excused.

Greer.	Oneal.
Hardin.	Pollard.

Read third time.

Unanimous consent was granted to suspend temporarily final passage of the bill.

Senate Simple Resolution No. 32.

Senator Cousins sent up the following resolution:

Whereas, The Beaumont Exporters through their efficient owner, Rube Stuart, with their most excellent manager, Del Baker, have played clean wholesome baseball, the national game that has given a proper source for energy to be expended, and furnished entertainment to the nation.

Be it Resolved, That the Senate of Texas appreciate the Beaumont Exporters in their good luck and commend them for their clean sportsmanship and commend all baseball clubs in keeping baseball on the high plane it is kept, and with said congratulations goes the hope that all Texas will now get behind the Beaumont Exporters and see them win the Dixie Series.

COUSINS.

Read and adopted.

At Ease.

At 2:45 o'clock p. m., the Senate stood at ease for five minutes by unanimous consent.

Message from the House.

Hall of the House of Representatives.
Austin, Texas, Sept. 19, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House

has adopted the Free Conference Committee Report on S. B. No. 34 by a vote of 106 yeas and 6 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 49.

Senate Bill No. 49 was finally passed by the following vote:

Yeas—18.

Beck.	Martin.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Small.
Gainer.	Stevenson.
Holbrook.	Thomason.
Houkins.	Williamson.
Hornsby.	Woodul.

Nays—5.

Loy.	Purl.
Moore.	Woodruff.
Poage.	

Absent.

Parrish.	Russek.
Rawlings.	Woodward.

Absent—Excused.

Greer.	Oneal.
Hardin.	Pollard.

Adjournment.

On motion of Senator Hopkins, the Senate, at 3:09 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, Sept. 19, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 10 carefully examined and compared and find same correctly enrolled.

HOPKINS, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Sept. 19, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Min-

ing, Irrigation and Drainage, to whom was referred

S. B. No. 49, A bill to be entitled "An Act amending Article 8225, Revised Civil Statutes of 1925, as amended by Chapter 27, General Laws, Fourth Called Session Forty-first Legislature, as amended by Chapter 21, General Laws, Second Called Session, Forty-second Legislature, prohibiting mineral development on coastal lands used for navigation purposes so long as said lands are used for navigation purposes by any navigation district or by the United States government, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HORNSBY, Chairman.

EIGHTEENTH DAY.

Senate Chamber,
Austin, Texas,
September 20, 1932.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Houkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Absent—Excused.

Greer.	Woodward.
Russek.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Williamson.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Senator Excused.

On motion of Senator Loy, Senator Russek was excused for the day on account of important business.

Senate Simple Resolution No. 33.

Senator Oneal sent up the following resolution:

Whereas, The State of Texas has a large amount invested in the two pictures hanging in the rear of the Senate Chamber, known as "Dawn at the Alamo" and "The Battle of San Jacinto"; and,

Whereas, There is a great danger of injury to said pictures unless they are protected by brass rails placed in front of the same, so as to prevent persons, through carelessness, from injuring them by placing their hands upon the surface thereof or striking them with canes or umbrellas or otherwise; and,

Whereas, Any injury to said pictures would be a great loss to the State of Texas; therefore, be it

Resolved by the State of Texas That the Board of Control be instructed to have placed in front of said pictures suitable brass rails, such as to protect them from injury, and that the cost of said brass rails and the placing of same be paid for out of the contingent expense of the Forty-second Legislature.

ONEAL.

Read and adopted.

Messages From the Governor.

Executive Office,
Austin, Texas, Sept. 19, 1932.
To the Members of the Forty-second Legislature:

I understand that House Bill No. 100, copy of which is hereto attached, was introduced several days ago, and now is out of the committee on a favorable report.

I have talked with citizens living in the water control district affected and, I understand that the recent floods in the Rio Grande River destroyed much property and it will